



IT IS ORDERED as set forth below:

Date: July 28, 2021

Paul Baisier

Paul Baisier
U.S. Bankruptcy Court Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	:	CHAPTER 7
	:	
TRACY DENNIS,	:	CASE NO. 20-63562-PMB
	:	
Debtor.	:	
	:	

**ORDER APPROVING SETTLEMENT AGREEMENT UNDER RULE 9019 OF THE
FEDERAL RULES OF BANKRUPTCY PROCEDURE**

On July 1, 2021, S. Gregory Hays, as Chapter 7 Trustee ("**Trustee**") for the bankruptcy estate (the "**Bankruptcy Estate**") of Tracy Dennis ("**Debtor**"), filed a *Motion for Order Authorizing Settlement between Trustee and United Community Bank under Rule 9019 of the Federal Rules of Bankruptcy Procedure* [Doc. No. 28] (the "**Motion**") and related papers with the Court, seeking an order, among other things, approving a settlement agreement (the "**Settlement Agreement**") between Trustee and United Community Bank ("**United**" and with Trustee, the "**Parties**") related to certain improved real property with a common address of 6885 Estepona Street, Atlanta, Fulton County Georgia 30349 (the "**Property**") and the alleged security interest of United in the Property, purportedly held as a result of a certain security deed

(the “**UCB Deed**”). More specifically, under the terms of the Settlement Agreement, *inter alia*,¹ within 30 days of this order² becoming final, United, through its title insurance carrier, First American Title Insurance Company, on behalf of United, shall pay to Trustee \$85,000.00 (the “**Settlement Funds**”) in good funds. In addition, effective upon this order becoming a final order, the UCB Deed shall be deemed properly perfected. Moreover, within ten (10) business days of the later of: (a) this order becoming a final order, or (b) Trustee’s receiving the Settlement Funds, the Parties shall file a stipulation dismissing with prejudice the Adversary Proceeding (Adv. Pro. No. 20-6079-PMB). Finally, Trustee, on the one hand, and United, on the other hand, grant broad releases to one another. The complete terms of the Settlement Agreement are set forth in Exhibit “A” to the Motion.

On July 1, 2021, Trustee filed a notice of hearing [Doc. No. 29] (the “**Notice**”) regarding the Motion setting it for hearing on July 26, 2021 (the “**Hearing**”). Counsel for Trustee certifies that he served the Notice on all requisite parties in interest. [Doc. No. 30].

Counsel for Trustee appeared at the calendar call for the Hearing on July 26, 2021. No creditors or parties in interest appeared to oppose the relief requested in the Motion.

The Court having considered the Motion and all other matters of record, including the lack of objection to the relief requested in the Motion; and, the Court having found that good cause exists to grant the relief requested in the Motion, it is hereby

¹ The following is a summary of the Settlement Agreement and is not intended to be comprehensive. To the extent that anything in this summary is contrary to the terms of the Settlement Agreement, the Settlement Agreement controls.

² Capitalized terms not defined in this Order shall have the meanings ascribed to them in the Motion.

ORDERED that the Motion is **GRANTED**: the Settlement Agreement is approved and its terms are incorporated herein. It is further

ORDERED that Trustee may take any other actions necessary to effectuate the terms of the Settlement Agreement. It is further

ORDERED that this Court retains jurisdiction to (i) interpret, implement, and enforce this Order, (ii) resolve any disputes regarding or concerning the Settlement Agreement, and (iii) enter such other and further orders as may be necessary, just, or proper as an aid to enforcement or implementation of this Order.

[END OF DOCUMENT]

Order prepared and presented by:

ARNALL GOLDEN GREGORY LLP
Attorneys for Trustee

By: /s/ Michael J. Bargar

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Identification of entities to be served:

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